

Application No. 10/608,995  
Filed: June 27, 2003  
TC Art Unit: 3679  
Confirmation No.: 6412

REMARKS

Claims 1, 4, 5, 7-9, 12-23, 26, 27, 29, 30, 33-36, 39, 40, 42-45, and 48-50 have been rejected under 35 U.S.C. § 102(b) over Lew et al. (US Pat. No. 4,418,948). Reconsideration of this rejection is respectfully requested.

Claim 1 recites, among other things, a coupling device between the ends of the pipe elements. The Examiner asserts that Fig. 5 of Lew "clearly illustrates a coupling device disposed between the ends of the first and second pipe elements . . . ." (Office Action, page 7). Applicant respectfully disagrees.

As can be seen in Fig. 5 of Lew, elastic ring segments 31 and 32 are disposed between flanges 27 and 28 of pipes 25 and 26. However, the flanges 27 and 28 are clearly spaced axially back from the ends of the pipes. The elastic rings segments 31 and 32 are not between the ends of the pipes 25 and 26. Thus, Lew does not disclose a coupling device "between the ends" of pipe elements, as recited in Applicant's claim 1.

Claim 1 further recites coupling means extending outwardly in an axial direction and configured to engage beads or flanges on the two pipe elements. Lew does not disclose such coupling means. As can be seen in Fig. 5 of Lew, the elastic ring segments 31 and 32 do not engage the flanges 27 and 28. Thus, claim 1 is believed to be patentable thereover for this reason as well.

Application No. 10/608,995  
Filed: June 27, 2003  
TC Art Unit: 3679  
Confirmation No.: 6412

Independent claims 16, 17, and 20 are believed to be patentable for reasons set forth above with respect to claim 1.

Furthermore, claim 16 recites the steps of arranging a coupling device in engagement with the end of a first pipe element, and bringing the end of a second pipe element into engagement with the coupling device, thus aligning and/or holding the two pipe elements during assembly. In Lew, the pipes are not sequentially coupled in this manner. Rather, the pipes must be held in alignment and then the coupling ring can be placed over the pipes. Thus, claim 16 is also believed to be patentable over Lew for this reason as well.

In view of the amendment to claim 1, dependent claim 26 has been rewritten in independent form, and dependent claims 27-36 have been cancelled. Claim 26 is also believed to be patentable for reasons set forth above with respect to claim 1.

Claims 6, 10, 11, 28, 32, 31, 41, 46, and 47 have been indicated as containing allowable subject matter. Applicants thank the Examiner for the indication of allowable subject matter. These claims are also believed to be patentable for the reasons set forth with respect to claim 1.

Claims 1, 9, 16, 17, and 21 have been objected to regarding the phrase "and/or." This phrase has been deleted and the term "or" has been employed. Accordingly, this objection is believed to be overcome.

Application No. 10/608,995  
Filed: June 27, 2003  
TC Art Unit: 3679  
Confirmation No.: 6412

Claim 17 has been rejected under 35 U.S.C. § 112, second paragraph. The step to couple the first element and the second element has been added to claim 17. Accordingly, this rejection is believed to be overcome.

In view of the above amendments and remarks, all claims are believed to be in condition for allowance, and reconsideration and indication thereof are respectfully requested. The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite prosecution of the present application.

Respectfully submitted,

PONTUS ANDERSSON

By: Beverly E. Hjorth  
Beverly E. Hjorth  
Registration No. 32,033  
Attorney for Applicant

WEINGARTEN, SCHURGIN,  
GAGNEBIN & LEBOVICI LLP  
Ten Post Office Square  
Boston, MA 02109  
Telephone: (617) 542-2290  
Telecopier: (617) 451-0313

BEH/dkh/313983

-12-

WEINGARTEN, SCHURGIN,  
GAGNEBIN & LEBOVICI LLP  
TEL. (617) 542-2290

PAGE 14/14 \* RCVD AT 11/23/2004 3:04:47 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/3 \* DNIS:8729306 \* CSID:16176950892 \* DURATION (mm:ss):03:48